

The 6 dB receive antenna directivity factor from *Section 73.525(a)(iii)* applies over the arc from 252.1 degrees clockwise through 112.1 degrees where the proposed ERP is reduced by 6 dB to account for receive antenna directivity. Table I, attached, depicts distance to the WRGB service contours while Table II gives distances to the proposed Channel 220 NCE interfering contours.

Population within this interference area was counted at the block level using the centroid retrieval method. This method has been determined to be the most accurate method of computing population based on past Mass Media Bureau correspondence to **Sacred Heart University** and others. Population in the common overlap area between the 86 dBu interfering contour and the WRGB 47 dBu service contour is 4,292 persons as seen in Table III. This value exceeds the 3,000 maximum allowed by the Rules and demonstrates that Channel 273 could be reserved for NCE FM operation.

#### **SUNY USE OF THE WFPN TRANSMITTER SITE FOR CH 273A**

SUNY has expressed a preference for Channel 273A stating that it can apply for Channel 273A under Section 73.215 using its current transmitter site. SHU disagrees with this analysis believing that the current WFPN site will not comply with Section 73.315 of the Rules as shown below.

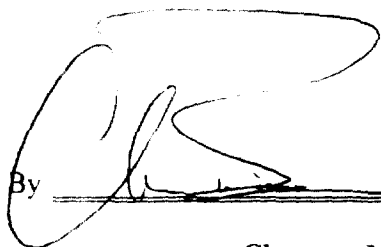
The Rosendale U.S. Census reference coordinates are located 15.9 kilometers from the WFPN site at a bearing of 335.45 degrees true. At this bearing, the HAAT is 399 meters and the 70 dBu extends out 16.1 kilometers at an ERP of 0.37 kW ( 6 kW equivalent) for the WFPN HAAT of 393 meters. The 1990 U.S. Census database describes Rosendale CDP as having an area of 4.7 square kilometers. When population within the 70 dBu contour is calculated at the block retrieval level, it is seen that maximum Class A facilities at the WFPN site reach 821 persons in the city of Rosendale which is 63.9% of the 1,284 persons residing in the community. Clearly, SUNY's use of the WFPN site on Channel 273A does not provide the required level of service to the city of Rosendale.

SUNY represents that its use of Channel 273A would be in the public interest when compared to its continued use of the Channel 204A sharetime operation. SHU disagrees as follows:

1. The licensed WFPN Channel 204A facility serves 320,268 persons within the 60 dBu contour. The WFPN directional operation on Channel 273A would be expected to serve 324,144 persons based on the affiant's calculations. A 1.2 percent increase in population served is de minimis and likely to be lost when the directional antenna CP is implemented due to real world restrictions in the construction and implementation of the directional antenna.
2. In February of 1992, when SUNY filed its first petition to delete Channel 204B1, it could have applied to the Commission for full Class B1 facilities using a directional antenna and an ERP equivalent to 25 kW at 100 meters HAAT to the north, providing 100% service to the city of Rosendale and providing service to a much wider area than can be provided from the WFPN site as a 6 kW Class A on Channel 273. A conservative population within Class B1 in the 60 dBu contour would be 525,523 persons. This is a 64.1% increase over the current WFPN Channel 204A operation and a 62.1% increase over the expected Channel 273A population served which WFPN is expected to proposed in its application for construction permit.

**CONCLUSION**

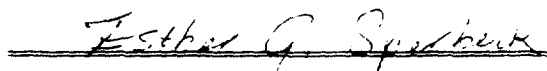
The foregoing was prepared on behalf of **Sacred Heart University, Inc.** by Clarence M. Beverage of *Communications Technologies, Inc.*, Marlton, New Jersey, whose qualifications are a matter of record with the Federal Communications Commission. The statements herein are true and correct of his own knowledge, except such statements made on information and belief, and as to these statements he believes them to be true and correct.

By  \_\_\_\_\_

**Clarence M. Beverage**  
for Communications Technologies, Inc.  
Marlton, New Jersey

**SUBSCRIBED AND SWORN TO** before me,

this 5th day of January, 1996.

 \_\_\_\_\_, NOTARY PUBLIC

ESTHER G. SPERBECK  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES OCT 15, 1997

**TABLE I****DISTANCE TO SERVICE CONTOUR****WRGB CH 6 93.3 kW @ 555 METERS AMSL****SCHENECTADY, NEW YORK****JANUARY 1996**

DISTANCES TO CONTOURS (Kilometers):

Frequency: 83.25 MHz

Coordinates: N 42 38 12 W 73 59 45

F(50,50) Curves Number of Contours: 7

AZ (degs)	HAAT (m)	ERP (kW)	CONTOUR LEVELS (dBu):						
			52.6	51.6	50.6	49.6	48.6	47.6	47.0
.0	454	93.3000	100.0	102.5	105.2	107.9	110.7	113.6	115.3
5.0	459	93.3000	100.4	102.9	105.5	108.2	111.0	114.0	115.7
10.0	460	93.3000	100.4	103.0	105.6	108.3	111.1	114.0	115.8
15.0	460	93.3000	100.4	103.0	105.6	108.3	111.1	114.0	115.8
20.0	458	93.3000	100.3	102.8	105.4	108.2	111.0	113.9	115.6
25.0	458	93.3000	100.3	102.9	105.5	108.2	111.0	113.9	115.7
30.0	457	93.3000	100.2	102.8	105.4	108.1	110.9	113.8	115.6
35.0	459	93.3000	100.4	102.9	105.5	108.3	111.1	114.0	115.8
40.0	461	93.3000	100.5	103.1	105.7	108.4	111.2	114.1	115.9
45.0	461	93.3000	100.5	103.0	105.7	108.4	111.2	114.1	115.9
50.0	460	93.3000	100.5	103.0	105.6	108.4	111.2	114.1	115.9
55.0	462	93.3000	100.6	103.2	105.8	108.5	111.3	114.2	116.0
60.0	467	93.3000	101.0	103.5	106.2	108.9	111.7	114.7	116.4
65.0	474	93.3000	101.5	104.1	106.8	109.5	112.4	115.3	117.1
70.0	478	93.3000	101.8	104.4	107.1	109.9	112.7	115.7	117.4
75.0	477	93.3000	101.8	104.4	107.1	109.9	112.7	115.6	117.4
80.0	479	93.3000	102.0	104.6	107.2	110.0	112.9	115.8	117.6
85.0	478	93.3000	101.9	104.5	107.2	109.9	112.8	115.7	117.5
90.0	478	93.3000	101.8	104.4	107.1	109.9	112.7	115.7	117.5
95.0	473	93.3000	101.5	104.1	106.7	109.5	112.3	115.3	117.1
100.0	472	93.3000	101.4	103.9	106.6	109.3	112.2	115.1	116.9
105.0	469	93.3000	101.2	103.8	106.4	109.2	112.0	114.9	116.7
110.0	466	93.3000	100.9	103.5	106.1	108.9	111.7	114.6	116.4
115.0	459	93.3000	100.4	102.9	105.6	108.3	111.1	114.0	115.8
120.0	451	93.3000	99.8	102.3	104.9	107.6	110.4	113.3	115.1
125.0	441	93.3000	98.9	101.5	104.0	106.7	109.5	112.3	114.1
130.0	421	93.3000	97.4	99.8	102.4	105.0	107.7	110.5	112.3
135.0	426	93.3000	97.8	100.2	102.8	105.4	108.2	111.0	112.7
140.0	423	93.3000	97.6	100.0	102.6	105.2	108.0	110.8	112.5
145.0	392	93.3000	95.2	97.6	100.0	102.6	105.3	108.0	109.8
150.0	345	93.3000	92.1	94.5	96.8	99.3	101.8	104.4	106.1
155.0	319	93.3000	90.4	92.8	95.1	97.5	100.0	102.6	104.2
160.0	286	93.3000	87.8	90.2	92.6	95.0	97.4	100.0	101.5
165.0	300	93.3000	89.1	91.4	93.8	96.2	98.6	101.2	102.8
170.0	255	93.3000	84.9	87.3	89.7	92.1	94.5	97.0	98.6
175.0	226	93.3000	82.3	84.6	87.0	89.4	91.8	94.3	95.8
180.0	222	93.3000	81.9	84.3	86.6	89.0	91.5	94.0	95.5

**TABLE I**  
**page 2**

185.0	181	93.3000	78.2	80.5	82.9	85.2	87.6	90.0	91.4
190.0	154	93.3000	75.2	77.6	79.9	82.3	84.6	87.0	88.4
195.0	131	93.3000	72.0	74.4	76.8	79.2	81.5	83.9	85.3
200.0	126	93.3000	71.3	73.7	76.1	78.5	80.9	83.3	84.7
205.0	112	93.3000	68.8	71.2	73.6	76.0	78.5	80.9	82.3
210.0	99	93.3000	66.1	68.5	70.9	73.4	75.9	78.4	79.8
215.0	85	93.3000	62.9	65.2	67.6	70.1	72.6	75.2	76.7
220.0	78	93.3000	60.9	63.2	65.6	68.0	70.5	73.1	74.7
225.0	89	93.3000	63.6	66.0	68.4	70.9	73.4	76.0	77.5
230.0	98	93.3000	65.8	68.2	70.7	73.1	75.6	78.1	79.6
235.0	108	93.3000	68.0	70.4	72.9	75.3	77.7	80.2	81.6
240.0	113	93.3000	69.1	71.5	73.9	76.3	78.8	81.2	82.6
245.0	124	93.3000	70.9	73.3	75.7	78.1	80.5	82.9	84.3
250.0	143	93.3000	73.8	76.2	78.5	80.9	83.2	85.6	87.0
255.0	155	93.3000	75.3	77.7	80.0	82.4	84.7	87.1	88.5
260.0	178	93.3000	77.9	80.2	82.6	84.9	87.3	89.7	91.1
265.0	200	93.3000	80.0	82.3	84.7	87.0	89.5	91.9	93.4
270.0	192	93.3000	79.2	81.6	83.9	86.3	88.7	91.1	92.6
275.0	171	93.3000	77.1	79.5	81.8	84.2	86.5	88.9	90.3
280.0	161	93.3000	76.1	78.5	80.8	83.2	85.5	87.9	89.3
285.0	157	93.3000	75.6	77.9	80.3	82.6	85.0	87.3	88.7
290.0	150	93.3000	74.7	77.1	79.4	81.8	84.1	86.5	87.9
295.0	150	93.3000	74.8	77.1	79.5	81.8	84.2	86.5	88.0
300.0	152	93.3000	75.0	77.4	79.8	82.1	84.4	86.8	88.2
305.0	166	93.3000	76.6	79.0	81.3	83.7	86.0	88.4	89.8
310.0	193	93.3000	79.3	81.6	84.0	86.3	88.7	91.2	92.6
315.0	217	93.3000	81.5	83.8	86.2	88.6	91.0	93.4	94.9
320.0	245	93.3000	84.0	86.4	88.8	91.2	93.6	96.1	97.7
325.0	267	93.3000	86.1	88.5	90.9	93.3	95.7	98.3	99.8
330.0	294	93.3000	88.5	90.9	93.2	95.6	98.1	100.6	102.2
335.0	339	93.3000	91.7	94.1	96.4	98.8	101.4	104.0	105.6
340.0	379	93.3000	94.3	96.6	99.1	101.6	104.2	107.0	108.7
345.0	410	93.3000	96.6	99.0	101.5	104.1	106.8	109.6	111.3
350.0	433	93.3000	98.3	100.8	103.4	106.1	108.8	111.7	113.4
355.0	445	93.3000	99.2	101.7	104.3	107.0	109.8	112.7	114.4
182.1	213	93.3000	81.1	83.5	85.8	88.2	90.7	93.1	94.6

TABLE II

**CHANNEL 273 REFERENCE COORDINATES  
6 kW @ 100 METERS HAAT**

**ROSENDALE, NEW YORK**

**JANUARY 1996**

DISTANCES TO CONTOURS (Kilometers):

Frequency: 102.5 MHz

Coordinates: N 41 49 14 W 74 2 13

F(50,10) Curves Number of Contours: 3

AZ (deg)	HAAT (m)	ERP (kW)	CONTOUR LEVELS (dBu): 86.0 85.6 85.1		
.0	125	1.5000	5.1	5.2	5.4
5.0	131	1.5000	5.2	5.3	5.5
10.0	134	1.5000	5.2	5.4	5.5
15.0	125	1.5000	5.1	5.2	5.4
20.0	114	1.5000	4.9	5.0	5.1
25.0	109	1.5000	4.7	4.9	5.0
30.0	114	1.5000	4.8	5.0	5.1
35.0	117	1.5000	4.9	5.0	5.2
40.0	119	1.5000	5.0	5.1	5.2
45.0	123	1.5000	5.0	5.1	5.3
50.0	118	1.5000	4.9	5.1	5.2
55.0	108	1.5000	4.7	4.8	5.0
60.0	99	1.5000	4.5	4.6	4.8
65.0	101	1.5000	4.6	4.7	4.8
70.0	100	1.5000	4.5	4.7	4.8
75.0	100	1.5000	4.5	4.7	4.8
80.0	97	1.5000	4.5	4.6	4.7
85.0	100	1.5000	4.6	4.7	4.8
90.0	98	1.5000	4.5	4.6	4.8
95.0	98	1.5000	4.5	4.6	4.7
100.0	101	1.5000	4.6	4.7	4.8
105.0	107	1.5000	4.7	4.8	5.0
110.0	103	1.5000	4.6	4.7	4.9
115.0	105	6.0000	6.6	6.8	7.0
120.0	104	6.0000	6.6	6.7	6.9
125.0	106	6.0000	6.7	6.8	7.0
130.0	107	6.0000	6.7	6.8	7.0
135.0	99	6.0000	6.4	6.6	6.8
140.0	96	6.0000	6.3	6.5	6.7

**TABLE II**  
**page 2**

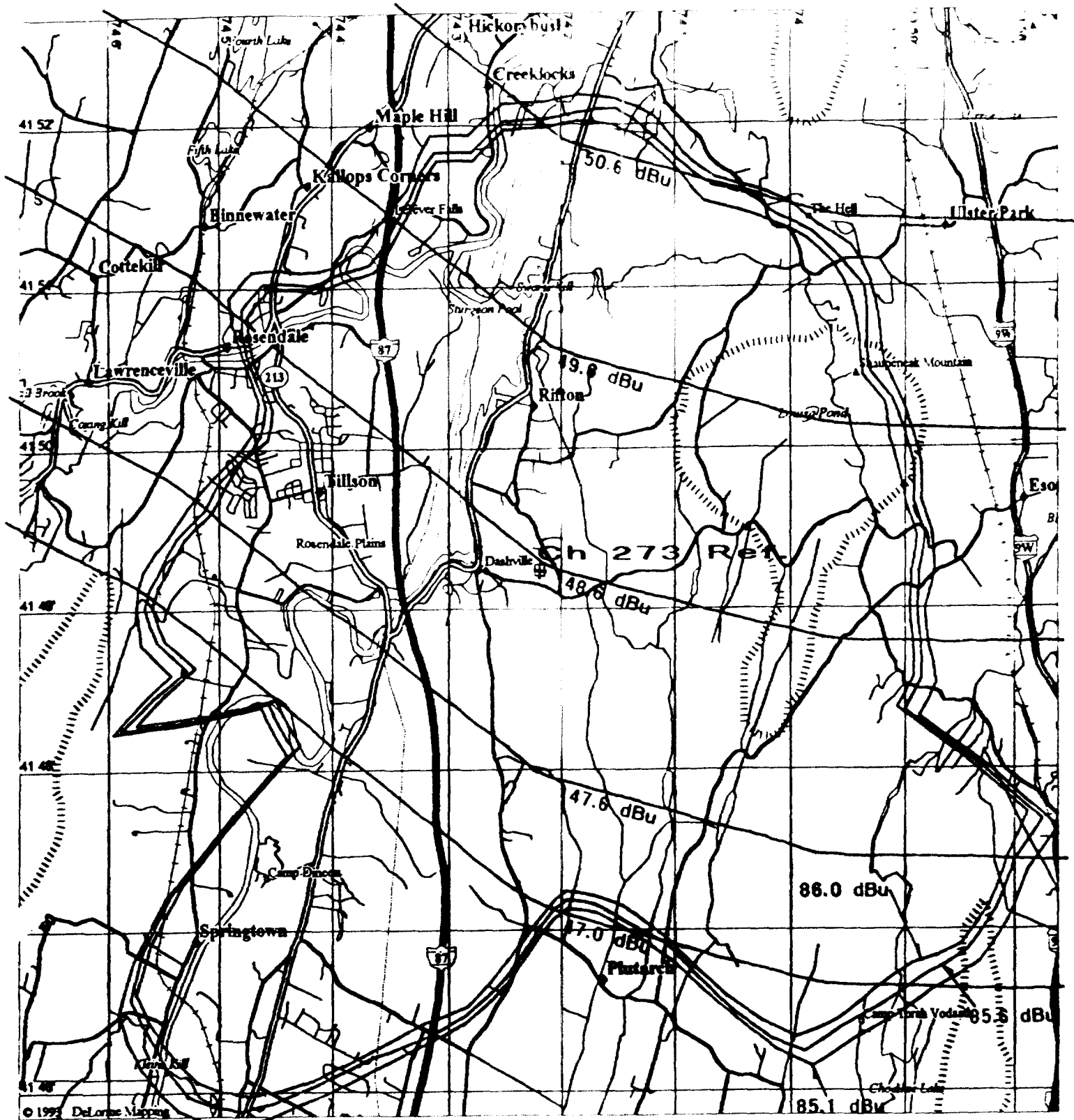
145.0	95	6.0000	6.3	6.4	6.6
150.0	93	6.0000	6.2	6.4	6.6
155.0	71	6.0000	5.4	5.6	5.7
160.0	49	6.0000	4.5	4.6	4.8
165.0	41	6.0000	4.0	4.2	4.3
170.0	36	6.0000	3.8	3.9	4.0
175.0	34	6.0000	3.7	3.8	3.9
180.0	39	6.0000	4.0	4.1	4.2
185.0	50	6.0000	4.5	4.7	4.8
190.0	62	6.0000	5.1	5.2	5.3
195.0	71	6.0000	5.4	5.6	5.7
200.0	83	6.0000	5.9	6.0	6.2
205.0	100	6.0000	6.5	6.6	6.8
210.0	119	6.0000	7.0	7.2	7.4
215.0	125	6.0000	7.2	7.4	7.6
220.0	121	6.0000	7.1	7.2	7.5
225.0	114	6.0000	6.9	7.0	7.2
230.0	77	6.0000	5.6	5.8	5.9
235.0	-1	6.0000	3.5	3.6	3.7
240.0	-16	6.0000	3.5	3.6	3.7
245.0	31	6.0000	3.5	3.6	3.7
250.0	66	6.0000	5.2	5.4	5.5
255.0	91	1.5000	4.3	4.4	4.6
260.0	103	1.5000	4.6	4.7	4.9
265.0	105	1.5000	4.7	4.8	4.9
270.0	99	1.5000	4.5	4.6	4.8
275.0	89	1.5000	4.3	4.4	4.5
280.0	80	1.5000	4.0	4.1	4.3
285.0	73	1.5000	3.9	4.0	4.1
290.0	68	1.5000	3.8	3.8	3.9
295.0	64	1.5000	3.6	3.7	3.8
300.0	65	1.5000	3.7	3.8	3.9
305.0	85	1.5000	4.2	4.3	4.4
310.0	103	1.5000	4.6	4.7	4.9
315.0	103	1.5000	4.6	4.7	4.9
320.0	87	1.5000	4.2	4.3	4.5
325.0	83	1.5000	4.1	4.2	4.3
330.0	80	1.5000	4.0	4.1	4.3
335.0	87	1.5000	4.2	4.3	4.5
340.0	96	1.5000	4.5	4.6	4.7
345.0	117	1.5000	4.9	5.0	5.2
350.0	112	1.5000	4.8	4.9	5.1
355.0	126	1.5000	5.1	5.2	5.4

**TABLE III**  
**POPULATION WITHIN CH 6 INTERFERING CONTOUR**  
**ROSENDALE, NEW YORK**  
**JANUARY 1996**

TOTAL POPULATION								
State, County, City	Households	White	Hispanic	Black	Am Indian	Asian	Other	Total
New York	1,618	4,117	67	61	14	30	3	4,292
Ulster County								
Rosendale Village CD	100	234	6	5	0	1	1	247
Tillson CDP	606	1,455	22	22	8	8	1	1,516
Rural county	912	2,428	39	34	6	21	1	2,529
Total for County	1,618	4,117	67	61	14	30	3	4,292

POPULATION 18 AND OVER								
State, County, City	Households	White	Hispanic	Black	Am Indian	Asian	Other	Total
New York	1,618	3,015	40	45	9	20	1	3,130
Ulster County								
Rosendale Village CD	100	168	3	5	0	1	0	177
Tillson CDP	606	1,068	13	10	3	5	1	1,100
Rural county	912	1,779	24	30	6	14	0	1,853
Total for County	1,618	3,015	40	45	9	20	1	3,130





# LEGEND

- |                        |                          |                         |
|------------------------|--------------------------|-------------------------|
| ○ State Route          | ----- County Boundary    | ===== US Highway        |
| □ Geo Feature          | ● Population Center      | +++ Railroad            |
| ◆ Town, Small City     | — Street, Road           | — River                 |
| ▲ Hill                 | — Major Street/Road      | --- Intermittent River  |
| ⬮ Interstate, Turnpike | ===== Interstate Highway | ... Utility (powerline) |
| ⬮ US Highway           | ===== State Route        | □ Open Water            |

CHANNEL 6 STUDY - CH 273

Mag 13.00

Mon Jan 08 12:58:45 1996

Scale 1:62,500 (at center)

1 Miles

2 KM

Figure 1

**CERTIFICATE OF SERVICE**

I, Veronica Abarre, a secretary in the law firm of Mullin, Rhyne, Emmons and Topel, P.C., hereby certify that I have, on this 11th day of January, 1996, sent by first-class U.S. Mail, postage prepaid, copies of the foregoing "OPPOSITION TO PETITION FOR RECONSIDERATION" to the following:

\* Mr. John A. Karousos, Chief  
Allocations Branch -- Mass Media Bureau  
Federal Communications Commission  
2000 M Street, N.W.--Room 565  
Washington, D.C. 20554

\* Ms. Leslie K. Shapiro  
Allocations Branch -- Mass Media Bureau  
Federal Communications Commission  
2000 M Street, N.W.--Room 564  
Washington, D.C. 20554

Todd D. Gray, Esq.  
Dow, Lohnes & Albertson  
1255 23rd Street, N.W.  
Suite 500  
Washington, D.C. 20037  
(Counsel to SUNY)

Steven C. Schaffer, Esq.  
Schwartz, Woods & Miller  
1350 Connecticut Avenue, N.W.  
Suite 300  
Washington, D.C. 20036  
(Counsel to WMHT Educational  
Telecommunications)

---

\* Hand Delivered

Mr. Dennis Jackson  
Radio South Burlington, Inc.  
Radio Station WQQQ(FM)  
19 Boas Lane  
Wilton, CT 06897

Allan G. Moskowitz, Esq.  
Kaye, Scholer, Fierman,  
Hays & Handler  
901 15th Street, N.W.  
Suite 1100  
Washington, D.C. 20005  
(Counsel to Bambi Broadcasting, Inc.)

A. Wray Fitch III, Esq.  
Gammon & Grange, P.C.  
8280 Greensboro Drive  
Seventh Floor  
McLean, VA 22102-3807  
(Counsel for Raymond A. Natole)

  
Veronica Abarre

**CERTIFICATE OF SERVICE**

I, Veronica Abarre, a secretary in the law firm of Mullin, Rhyne, Emmons and Topel, P.C., hereby certify that I have, on this 18th day of June, 1996, sent by first-class U.S. Mail, postage prepaid, copies of the foregoing "OPPOSITION TO APPLICATION FOR REVIEW" to the following:

\* Mr. John A. Karousos, Chief  
Allocations Branch -- Mass Media Bureau  
Federal Communications Commission  
2000 M Street, N.W.--Room 565  
Washington, D.C. 20554

Todd D. Gray, Esq.  
Dow, Lohnes & Albertson  
1255 23rd Street, N.W.  
Suite 500  
Washington, D.C. 20037  
(Counsel to SUNY)

Steven C. Schaffer, Esq.  
Schwartz, Woods & Miller  
1350 Connecticut Avenue, N.W.  
Suite 300  
Washington, D.C. 20036  
(Counsel to WMHT Educational  
Telecommunications)

Mr. Dennis Jackson  
Radio South Burlington, Inc.  
and Radio Rosendale  
19 Boas Lane  
Wilton, CT 06897

---

\* Hand Delivered

Allan G. Moskowitz, Esq.  
Kaye, Scholer, Fierman,  
Hays & Handler  
901 15th Street, N.W.  
Suite 1100  
Washington, D.C. 20005  
(Counsel to Bambi Broadcasting, Inc.  
and to Span Communications Corp.)

A. Wray Fitch III, Esq.  
Gammon & Grange, P.C.  
8280 Greensboro Drive  
Seventh Floor  
McLean, VA 22102-3807  
(Counsel for Raymond A. Natole)

Gary S. Smithwick, Esq.  
Smithwick & Belendiuk, P.C.  
1990 M Street, N.W., Suite 510  
Washington, D.C. 20036  
(Counsel to Aritaur Communications, Inc.)

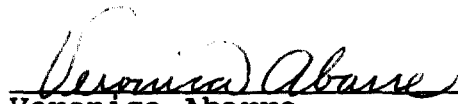
Gregory L. Masters, Esq.  
Fisher, Wayland, Cooper,  
Leader & Zaragoza, L.L.P.  
2001 Pennsylvania Avenue, N.W.  
Suite 400  
Washington, D.C. 20006-1851  
(Counsel to Rosen Broadcasting, Inc.)

Lauren A. Colby, Esq.  
Law Offices of Lauren A. Colby  
10 East fourth Street  
P.O. Box 113  
Frederick, MD 21705-0113  
(Counsel to Eric P. Straus)

Erwin G. Krasnow, Esq.  
Verner, Liipfert, Bernhard,  
McPherson & Hand, Chartered  
901 15th Street, N.W., Suite 700  
Washington, D.C. 20005-2301  
(Counsel to David M. Fleisher  
and Melissa M. Krantz)

Barry A. Friedman, Esq.  
Thompson, Hine & Flory  
1920 N Street, N.W.--Suite 800  
Washington, D.C. 20036  
(Counsel to Marist College)

Jerold L. Jacobs, Esq.  
Rosenman & Colin  
1300 19th Street, N.W.  
Suite 200  
Washington, D.C. 20036  
(Counsel to Hawkeye Communications, Inc.)

  
Veronica Abarre